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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/769,028	01/29/2004	Ansgar Rinscheid	11336-677 (P 01045 US)	7607
757 7590 10/01/2007 BRINKS HOFER GILSON & LIONE P.O. BOX 10395 CHICAGO, IL 60610			EXAMINER CHAWAN, VIJAY B	
			ART UNIT 2626	PAPER NUMBER
			MAIL DATE 10/01/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/769,028	Applicant(s) RINSCHEID, ANSGAR	
	Examiner Vijay B. Chawan	Art Unit 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Brown et al., (6,208,965).

As per claim 1, Brown et al., teach a method for recognizing speech comprising:
comparing a predetermined number of spoken characters to a corresponding set
of character strings stored in a memory (Col.5, lines 8-27);

selecting a group of character strings from the memory based on the first
comparison (Col.5, lines 33-58);

comparing a second predetermined number of spoken characters to the
corresponding characters in the selected group of character strings (Col.5, lines 33-58,
Col.7, line 17 – Col.8, line 53); and

identifying the spoken characters based upon the second comparison (Col.5,
lines 33-58).

As per claim 2, Brown et al., teach the method according to claim 1, where the corresponding character string is stored in the memory according to a tree structure (Col.5, lines 33-58, Col.7, line 17 – Col.8, line 53).

As per claim 3, Brown et al., teach the method according to claim 1, where the predetermined number of spoken characters is a portion of the total characters in a spoken character string (Col.5, lines 33-58, Col.7, line 17 – Col.8, line 53).

As per claim 4, Brown et al., teach the method according to claim 1, where the act of selecting further comprises calculating a matching probability based on the first comparison (Col.5, lines 33-58, Col.7, line 17 – Col.8, line 53).

As per claim 5, Brown et al., teach the method according to claim 1, where the second comparison further comprises comparing all of the spoken characters to the characters in the selected character strings (Col.5, lines 33-58, Col.7, line 17 – Col.8, line 53).

As per claim 6, Brown et al., teach the method according to claim 1, where the second comparison compares more characters than the first comparison (Col.5, lines 33-58, Col.7, line 17 – Col.8, line 53).

As per claim 7, Brown et al., teach the method according to claim 1, where the second comparison compares additional characters in incremental steps (Col.5, lines 33-58, Col.7, line 17 – Col.8, line 53).

As per claim 8, Brown et al., teach the method according to claim 1, where identifying further comprises recognizing a selected character string that has the highest

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probability of identifying the spoken character string (Col.5, lines 33-58, Col.7, line 17 – Col.8, line 53).

As per claim 9, Brown et al., teach a system for speech recognition comprising:
a microphone; a processor for digitizing speech signals received from the microphone; a memory coupled to the processor for storing character strings (Fig.1, items 35 and 60);

a comparator for comparing a spoken character string formed from the speech signals to the stored character strings in the memory (Col.5, lines 33-58, Col.7, line 17 – Col.8, line 53); and

a controller programmed to select a group of stored character strings based on a comparison of a predetermined number of characters of the spoken character string to a predetermined number of stored characters and further programmed to identify a stored character string within the group of stored character strings that recognizes the spoken character string (Col.5, lines 33-58, Col.7, line 17 – Col.8, line 53).

As per 10, Brown et al., teach the system according to claim 9, where the stored character strings are stored in the memory according to a tree structure (Col.5, lines 33-58, Col.7, line 17 – Col.8, line 53).

As per 11, Brown et al., teach the system according to claim 9, where the predetermined number of spoken characters is a portion of the characters in the spoken character string (Col.5, lines 33-58, Col.7, line 17 – Col.8, line 53).

As per 12, Brown et al., teach the system according to claim 9, where the controller is further programmed to identify the spoken character string by comparing all

of the spoken characters to the characters in the selected character strings (Col.5, lines 33-58, Col.7, line 17 – Col.8, line 53).

As per 13, Brown et al., teach the system according to claim 12, where all of the spoken characters are compared in incremental steps (Col.5, lines 33-58, Col.7, line 17 – Col.8, line 53).

As per 14, Brown et al., teach the system according to claim 9, where the controller is further programmed to select by calculating a matching probability based on the comparison (Col.5, lines 33-58, Col.7, line 17 – Col.8, line 53).

As per 15, Brown et al., teach the system according to claim 9, where the controller is further programmed to identify a stored character string within the group of stored character strings that has the highest probability of identifying the spoken character string (Col.5, lines 33-58, Col.7, line 17 – Col.8, line 53).

As per claim 16, Brown et al., teach a system for sound recognition comprising:
a microphone; a processor for digitizing sound signals received from the microphone; a memory coupled to the processor for storing character strings (Fig.1);

a comparator for comparing a sound character string formed from the sound signals to the stored character strings in the memory; and a controller programmed to select a group of stored character strings based on a comparison of a predetermined number of characters of the sound character string to a predetermined number of stored characters and further programmed to identify a stored character string within the group of stored character strings that recognizes the sound character string (Col.5, lines 33-58, Col.7, line 17 – Col.8, line 53).

As per 17, Brown et al., teach the system according to claim 16, where the stored character strings are stored in the memory according to a tree structure (Fig.1, items 35, 60).

As per 18, Brown et al., teach the system according to claim 16, where the spoken characters are compared in incremental steps (Col.5, lines 33-58, Col.7, line 17 – Col.8, line 53).

As per 19, Brown et al., teach the system according to claim 16, where the controller is further programmed to select by calculating a matching probability based on the comparison (Col.5, lines 33-58, Col.7, line 17 – Col.8, line 53).

As per 20, Brown et al., teach the system according to claim 16, where the controller is further programmed to identify a stored character string within the group of stored character strings that has the highest probability of identifying the sound character string (Col.5, lines 33-58, Col.7, line 17 – Col.8, line 53).

Conclusion


3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See attached form PTO-892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vijay B. Chawan whose telephone number is (571) 272-7601. The examiner can normally be reached on Monday Through Friday 6:30-3:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on (571) 272-7602. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Vijay B. Chawan
Primary Examiner
Art Unit 2626

vbc
9/25/07

VIJAY CHAWAN
PRIMARY EXAMINER